

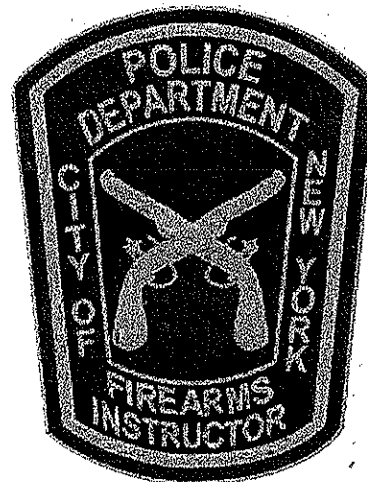
EXHIBIT “5”

Police Academy

Firearms and Tactics Section

2005

Firearms Discharge Report



Prepared by:

Firearms and Tactics Section

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DEPUTY INSPECTOR

Commanding Officer

2005

Firearms Discharge Report

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Figures are preliminary and subject to further analysis and revision.

Table of Contents

Introduction	Page 4
Glossary of Terms	5
Comparison of Shooting Incidents 2004-2005	6 - 7
Statistical Summaries	
Firearms Incidents	8
Number of Incidents by Day of Week	8
Number of Incidents by Tour	8
Number of Incidents by Borough	8
Number of Incidents by Precinct of Occurrence	9
Number of Officers Involved	10
Officers Duty Status	10
Number of Incidents Occurring Indoors/Outdoors	10
Officer Accuracy at Distance Fired	10
(Gunfights, other shootings vs. subjects and against dogs)	10
Officer Statistics	11
2005 Firearms Discharge Incidents	12
Shooting Incidents	
Gunfights	13
Other Shooting Incidents Involving Subjects	14
Dog Related Incidents	15
Accidental Discharges	16
Gunfight Synopsis	17 - 20
Officers Killed in the Line of Duty	21
Analysis of Shots Fired by Officers in 2005	22
Graphs	
Officers Shot and Killed by Subjects 1971-2005	23
Officers Shot and Injured by Subjects 1971-2005	24
Subjects Shot and Killed by Officers 1971-2005	25
Subjects Shot and Injured by Officers 1971-2005	26
Shooting Incidents 1971-2005	27
Number of Shots Fired by Officers 1971-2005	28

INTRODUCTION

The Firearms Discharge Report is compiled and produced annually by the Police Academy, Firearms and Tactics Section. The information contained in this report is obtained from Firearms Discharge Reports prepared by uniformed members of the service and narrative reports prepared by investigating supervisory personnel.

This report provides a statistical analysis of firearms discharges by uniformed members of the service. It also serves as a training tool. Patterns and possible hazards are identified which allow the Department to structure training courses to address current conditions.

In January 2006, an advisory committee was formed, by the Commanding Officer, Firearms and Tactics Section, for the purpose of reviewing all firearm discharges. The committee is chaired by the Executive Officer, Firearms and Tactics Section and meets twice monthly. This committee has been tasked with the responsibility of reviewing and analyzing current and previous shooting reports in an effort to glean information regarding tactical deficiencies. This information is then incorporated into lesson plans for the semi-annual requalification cycle, recruit training, lectures and scenarios used in the advanced tactical firearms course.

2005 FIREARMS DISCHARGE REPORT

GLOSSARY OF TERMS

**Firearms
Incident
(Shootings)**

Any incident during which one or more officers discharge firearms for any reason.

Subject

The other party or parties to shootings and other confrontations described in this report.

**Defense of
Self/Others**

Any incident whereby one or more officers fired their weapons to defend themselves or others against unlawful force. Includes gunfights and other shootings of persons attacking officers and others.

Gunfight

Any incident during which both the subject and officers fired their weapons; an exchange of gunfire.

**Other Shootings
vs. Subjects**

Any incident in which officers fired weapons in defense of themselves or others at subjects who did not return fire.

FDR

Firearms Discharge Report. Source document used to compile statistical information for inclusion in this report.

Officer

A uniformed member of the NYPD, at any rank.

2005 FIREARMS DISCHARGE REPORT

Comparison Of Shooting Incidents: 2004 – 2005 *

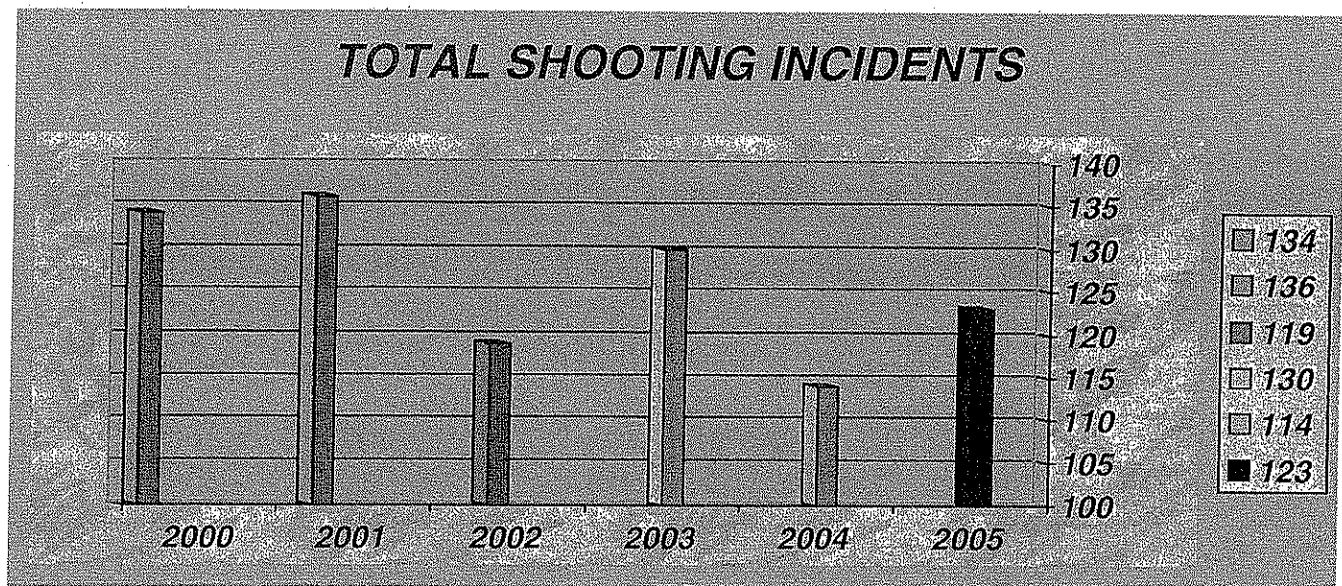
The Firearms Discharge Report is broken down into several main categories: (1) **GUNFIGHTS** - when the officer(s) and subject(s) fire at each other; (2) **OTHER SHOOTINGS vs. Subjects** - when an officer(s) fires in defense of themselves or another against a subject(s) and the subject(s) does not return fire; (3) **AGAINST DOGS**; and (4) **ACCIDENTAL DISCHARGES** - when an officer unintentionally discharges a firearm. These incidents are examined to identify dangerous conditions and to develop preventive measures.

* All incidents are subject to further review.

During 2005, a total of 166 officers fired weapons in 123 incidents, as compared to 144 officers firing weapons in 114 incidents in the year 2004. In 2005, only 59 incidents (48%) have been against human subjects (16 gunfights, 43 other shootings vs. subjects).

	<u>2004</u>	<u>2005</u>		
Total # incidents	114	123	08%	Increase
Total # shots fired	352	616	75 %	Increase
Gunfights	11	16	45%	Increase
Total # shots fired	92	276	200 %	Increase
Total # hits	18	23	28%	Increase
% Hits	20%	8%		
Other Shootings vs. Subjects	40	43	08%	Increase
Total # shots fired	140	196	40%	Increase
Total # hits	47	59	23%	Increase
% Hits	34%	30%		
Against Dogs	26	32	23%	Increase
Total # shots fired	69	93	35%	Increase
Total # hits	40	57	43%	Increase
% Hits	58%	61%		
Accidental Discharges	27	24	11%	Decrease
Total # shots fired	28	25	11%	Decrease
Total # hits	13	10	23%	Decrease
% Hits	46%	40%		
Suicide /Attempted	05	03	40%	Decrease
Total # shots fired	05	03	40%	Decrease
Total # hits	05	03	40%	Decrease
% Hits	100%	100%		
Other	05	05	00%	No change
Total # shots fired	18	22	18%	Increase
Total # hits	02	02	00%	No change
% Hits	11%	9%		

2005 FIREARMS DISCHARGE REPORT



5

7

2005 FIREARMS DISCHARGE REPORT

Statistical Summaries**TOTAL NUMBER OF INCIDENTS:****Firearms Incidents**

		<u>%</u>
Accidental Discharges	24	19.5%
Gunfights	16	13%
Other shootings vs Subjects	43	35%
Dogs	32	26%
Mistaken Identity	00	00%
OTHERS: Intoxicated, Domestic, etc.	05	4.1%
Suicide	03	2.4%
TOTAL:	123	100%

NUMBER OF INCIDENTS BY DAY

		<u>%</u>
Sunday	20	16.2%
Monday	13	10.6%
Tuesday	20	16.2%
Wednesday	13	10.6%
Thursday	16	13.0%
Friday	17	13.8%
Saturday	24	19.5%

TOTAL: 123 100%

NUMBER OF INCIDENTS BY TOUR

On-Duty		<u>%</u>
0001 - 0800	32	26.0%
0801 - 1600	27	22.0%
1601 - 2400	38	31.0%
<i>Subtotal</i>	<i>97</i>	<i>79.0%</i>

Off-Duty		<u>%</u>
0001 - 0800	10	8.0%
0801 - 1600	07	5.7%
1601 - 2400	09	7.3%
<i>Subtotal</i>	<i>26</i>	<i>21%</i>

TOTAL 123 100%

NUMBER OF INCIDENTS**BY BOROUGH:**

Manhattan South	06	4.9%
Manhattan North	16	13%
Bronx	27	22%
Brooklyn South	16	13%
Brooklyn North	26	21.1%
Queens South	17	14%
Queens North	05	4%
Staten Island	05	4%
Outside City	05	4%

TOTAL: 123 100%

NUMBER OF INCIDENTS BY MONTH

January	12	9.8%
February	07	5.7%
March	08	6.5%
April	10	8.1%
May	10	8.1%
June	12	9.8%
July	13	10.6%
August	08	6.5%
September	08	6.5%
October	16	13%
November	09	7.3%
December	10	8.1%

TOTAL: 123 100%

2005 FIREARMS DISCHARGE REPORT

NUMBER OF INCIDENTS BY PRECINCT OF OCCURRENCE:

<u>MANHATTAN SOUTH</u>	<u>06</u>	<u>BROOKLYN SOUTH</u>	<u>16</u>
001	01	060	01
005	00	061	01
006	00	062	01
007	01	063	00
009	01	066	00
010	00	067	03
013	01	068	03
M.T.S.	01	069	01
017	01	070	02
M.T.N.	00	071	03
		072	00
		076	01
		078	00
<u>MANHATTAN NORTH</u>	<u>16</u>	<u>BROOKLYN NORTH</u>	<u>26</u>
019	00	073	03
020	00	075	04
023	01	077	01
024	00	079	04
025	02	081	05
026	01	083	05
028	03	084	01
030	03	088	01
032	05	090	02
033	01	094	00
034	00		
C.P.P.	00		
<u>BRONX</u>	<u>27</u>	<u>QUEENS SOUTH</u>	<u>17</u>
040	01	100	01
041	01	101	02
042	01	102	00
043	04	103	02
044	04	105	05
045	04	106	04
046	02	107	01
047	02	113	02
048	05		
049	01	<u>QUEENS NORTH</u>	<u>05</u>
050	00	104	00
052	02	108	01
		109	01
		110	01
		111	02
<u>OUTSIDE CITY</u>	<u>05</u>	112	00
Nassau County	02	114	00
Suffolk County	01	115	00
Westchester County	01	<u>STATEN ISLAND</u>	<u>05</u>
Rockland County	00	120	05
Orange County	00	122	00
Other USA	01	123	00

2005 FIREARMS DISCHARGE REPORT

Officer Statistics**NUMBER OF OFFICER DISCHARGES: 166**

Captains and above	02
Lieutenants	04
Sergeants	19
Detectives	33
Police Officers	103
Probationary Police Officers	03
Undercover	02

OFFICER DUTY STATUS AND ATTIRE

On duty in uniform:	79	48%
On duty in civilian attire:	61	37%
Off duty	26	15 %

NUMBER OF INCIDENTS OUTDOORS: 49**NUMBER OF INCIDENTS INDOORS: 74****MEMBERS' ACCURACY AT DISTANCE FIRED:**

	<u># UMOS</u>	<u># SHOTS</u>	<u># HITS</u>	<u>% HITS</u>
00 - 02 YDS.	64	127	65	51%
03 - 07 YDS.	44	155	68	44%
08 - 15 YDS.	40	205	14	07%
16 - 25 YDS.	07	93	05	05%
Over 25 YDS.	00	00	00	00%
NOT STATED.	11	36	02	06%
Total	166	616	154	25%

2005 FIREARMS DISCHARGE REPORT

Officers Statistics**WEAPONS USED BY OFFICERS IN SHOOTING INCIDENTS**

Revolvers.....	04	H&K MP5.....	01
Semi automatic pistols.....	156	Ruger Mini-14.....	00
Ithaca 37 Shotgun.....	01	M24 rifle.....	00
Colt M4.....	00	Non-Standard Weapon.	04

SHOOTING INCIDENTS**(Defense of Self/Others): 43**

Total number of officers who fired: 64
 Total number of shots fired: 196
 Total number of hits: 59
% Hits: 30%
 Shots fired per incident: 4.6
 Shots fired per officer per incident: 3.1

SHOOTING INCIDENTS**(Gunfights): 16**

Total number of officers who fired: 35
 Total number of shots fired: 276
 Total number of hits: 23
% Hits: 08%
 Shots fired per incident: 17.3
 Shots fired per officer per incident: 7.9

SHOOTING INCIDENTS**(Suicide = 2 attempted = 1): 03**

Total number of officers who fired: 03
 Total number of shots fired: 04
 Total number of hits: 04
% Hits: 100%
 Shots fired per incident: 1.3
 Shots fired per officer per incident: 1.3

SHOOTING INCIDENTS**(Dogs): 32**

Total number of officers who fired: 35
 Total number of shots fired: 93
 Total number of hits: 58
% Hits: 62%
 Shots fired per incident: 2.9
 Shots fired per officer per incident: 2.7

SHOOTING INCIDENTS**(Accidental): 24**

Total number of officers who fired: 24
 Total number of shots fired: 25
 Total number of hits: 10
% Hits: 42%
 Shots fired per incident: 1.04
 Shots fired per officer per incident: 1.04

SHOOTING INCIDENTS**(Other): 05**

Total number of officers who fired: 05
 Total number of shots fired: 22
 Total number of hits: 01
% Hits: 05%
 Shots fired per incident: 4.4
 Shots fired per officer per incident: 4.4

SHOOTING INCIDENTS**(Combination of all categories): 123**

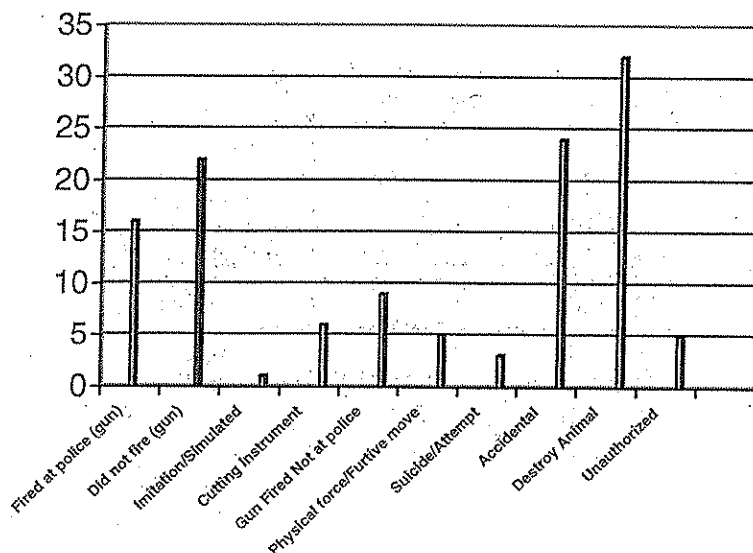
Total number of officers who fired: 166
 Total number of shots fired: 616
 Total number of hits: 154
% Hits: 25%
 Shots fired per incident: 5.0
 Shots fired per officer per incident: 3.7

2005 FIREARMS DISCHARGE REPORT

2005 Firearms Discharge Incidents

<u>Subject armed with:</u>	2004	%	2005	%
Gun, fired at police	14	13%	16	13%
Gun, fired not at police	04	03%	09	7.3%
Gun, did not fire	13	12%	22	18%
Imitation/simulated gun	06	05%	06	05%
Vehicle	03	02%	00	00%
Other weapon (indicate)	03	02%	00	00%
Physical force/furtive movement	05	04%	05	04%
Mistaken Identity	00	00%	00	00%
Suicide	04	03%	02	1.6%
Attempted Suicide	01	01%	01	0.8%
Accidental discharge	27	25%	24	19.5%
Destroy animal	26	23%	32	26%
Unauthorized (intoxicated, domestic)	05	04%	05	04%
Total:	115	100%	123	100%

2005 Firearms Discharge Incidents



2005 FIREARMS DISCHARGE REPORT

Gunfights

Gunfight defines any incident when the subjects and officers fired their weapons at each other.

During 2005 there were 16 incidents involving 35 officers where officers and subjects exchanged gunfire, compared to 11 incidents involving 19 officers in 2004, an increase of 45%.

Officer Statistics:

Number of officers who fired:	35
Number of shots fired:	276
Number of hits:	23
Hit potential	8.3%
Shots fired per incident:	17.3
Shots per officer	7.9

Number of officers on duty:	32
Number of officers off duty:	03

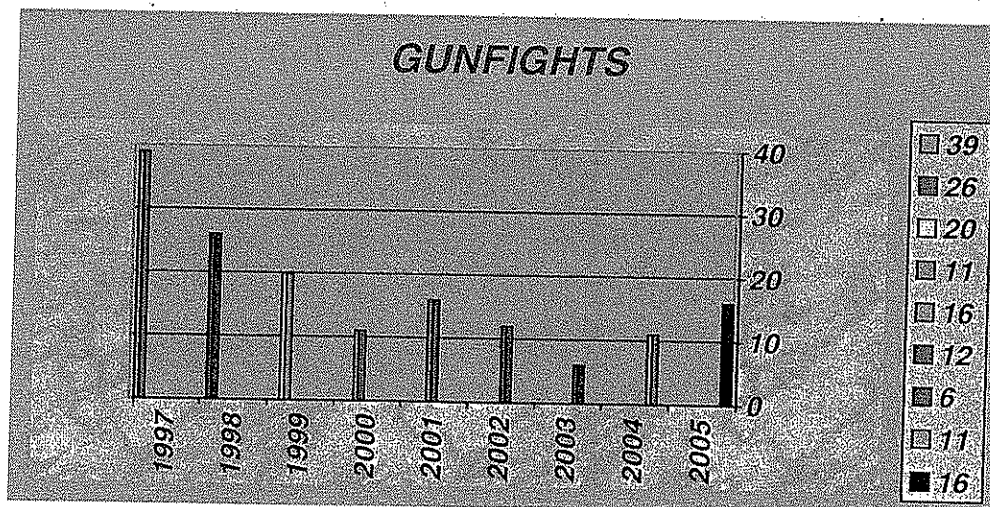
Officer Assignment:

RMP	09
Foot Patrol	00
Anti-Crime	17
Buy & Bust	00
Investigator	06
Impact	00
Off Duty	03
Undercover	00
ESU	00

Subject Statistics:

Number of Subjects who fired:	17
Number of shots fired by Subjects:	72
Number of Officers shot/injured:	07
Number of Officers shot/killed:	02
Number of hits by Subjects:	14
Subject hit %:	19%

Number of Subjects shot/killed:	02
Number of Subjects shot/injured:	08



2005 FIREARMS DISCHARGE REPORT

Other Shooting Incidents Involving Subjects

Incidents in which officers fired their weapon in defense of themselves or others against subjects who did not return fire.

During 2005 there were 43 incidents in which 64 officers fired their weapons at subjects as compared to 40 incidents in 2004 in which 53 officers fired their weapons, a increase of 8%. **In 30 of these incidents, subjects pointed firearms at officers.** In 6 incidents, subjects were armed with weapons other than firearms.

(6-cutting instrument, 7-physical force/furtive movement)

Number of UMOS who fired: 64
 Number of shots fired: 196
 Number of hits: 59
% Hits: 30%

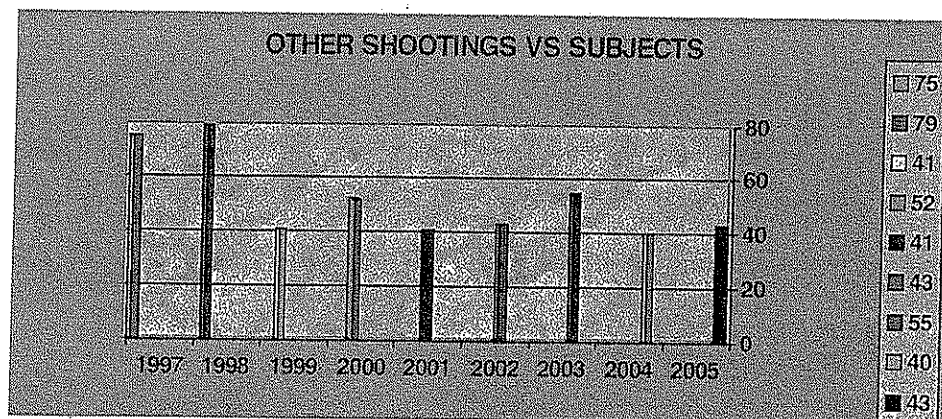
Shots fired per incident: 4.6
 Shots fired per UMOS: 3.1

UMOS Assignments

RMP	17
Anti-Crime	07
Undercover	00
Investigator	06
Foot-Patrol	05
Off Duty	06
ESU	01
Impact	01

Number UMOS On duty: 37
 Number UMOS Off duty: 06

Number of subjects killed: 07
 Number of subjects shot/injured: 18



2005 FIREARMS DISCHARGE REPORT

DOG RELATED INCIDENTS

During 2005 there were 32 dog-related incidents in which 35 officers discharged their firearms as compared to 26 incidents in 2004 in which 32 officers discharged their firearms, an increase of 23%.

Breed of dogs involved:

Pit Bull	28
Rottweilers	02
German Shepherds	02
Chow	01
Other/Unknown	01

Total	34
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Number of UMOS who fired:	35
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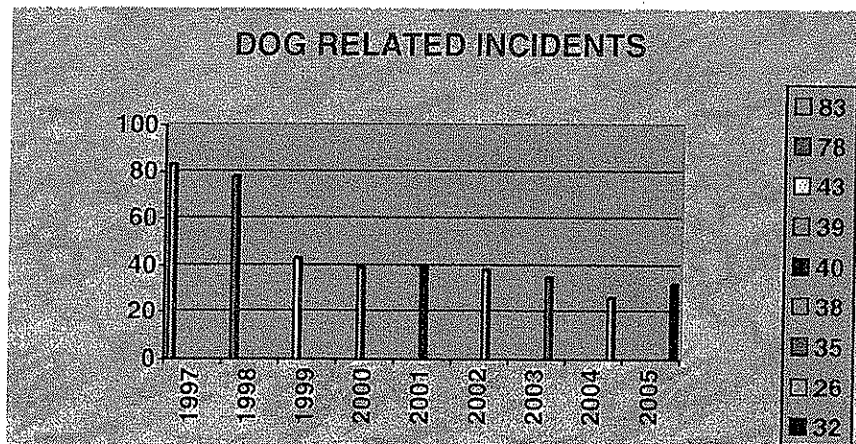
Number of Shots fired:	93
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Total hits:	58
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% Hits:	62%
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Dogs injured:	12
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Dogs killed:	17
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2005 FIREARMS DISCHARGE REPORT

ACCIDENTAL DISCHARGES

During 2005, there were 24 accidental discharge incidents involving 24 officers as compared to 27 incidents in 2004 involving 27 officers, a decrease of 11%.

REASONS FOR ACCIDENTAL DISCHARGES

Struggling with subjects	07	Handling Weapon	13
Loading / Unloading weapon	02	Falling	00
Cleaning weapon	02	Running	00
Forcing entry	00	Seated in RMP	00

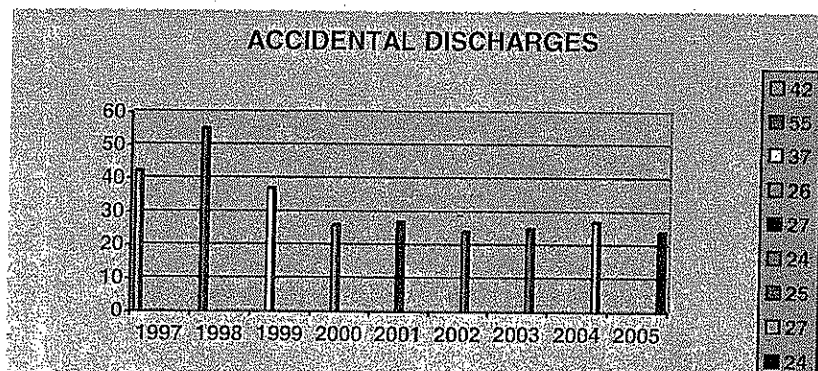
NUMBER OF INJURIES SUSTAINED AS A RESULT OF ACCIDENTAL DISCHARGES

Officer shot self/killed	00	Officer shot other Officer/killed	00
Officer shot Civilian/killed	00	Officer shot self/injured	08
Officer shot other /injured	00	Officer shot Civilian/injured	00

Type of Weapon Involved in Accidental Discharge

Semi-automatic pistols	18	Spec. Weapons	02
Revolvers	03		
Shotgun (evidence)	01		

	Shot Self		Shot Other Officer		Shot Civilian	
	injured	killed	injured	killed	injured	killed
Semi-automatic	4	0	0	0	1	0
Revolver	2	0	0	0	0	0
H&K MP5	1	0	0	0	1	0
Shot Gun	1	0	0	0	0	0



2005 FIREARMS DISCHARGE ASSAULT REPORT*Gunfight Synopsis**January 3, 2005**42 Pct.**OFF DUTY**STREET*

On Monday January 3, 2005 at approximately 0015 hours, an off duty detective was seated in his private vehicle along with two companions and was fired upon six times by a male subject. Detective returned fire six times from inside his vehicle. The Subject received one non-life threatening gunshot wound to his torso and was apprehended. There were no reported firearm related injuries to officer, or any civilians.

*April 6, 2005**83 Pct.**12X8**STREET*

On Wednesday April 6, 2005 at approximately 0402 hours, a plainclothes officer assigned to address a series of construction site burglaries noticed two persons rolling a garbage can down the street. Shortly there after the officer observed persons ducking into a building, officer investigated and was fired upon one time by subjects. Officer returned fire three times at the subjects who fled on foot and were not apprehended. There were no reported firearm related injuries to officer or subjects.

*May 15, 2005**60 Pct.**7X3**STREET*

On Sunday May 15, 2005 at approximately 1435 hours, an officer assigned to patrol heard a number of gunshots. Upon arriving at the location the officer was fired upon by the subject who was fleeing the scene. The officer then discharged one round through the windshield of the patrol car. The subject fled on foot and was not apprehended. There were no reported firearm related injuries to officer or subject.

*May 27, 2005**28 Pct.**4X12**STREET*

On Friday May 27, 2005 at approximately 1826 hours, five officers assigned to patrol responded to a call of an armed robbery. When police observed the subject, he turned and discharged several rounds at the officers. Officers then fired 28 rounds at subject striking him several times causing his demise. There were two civilians treated for non-life threatening wounds and no officers reported injured.

2005 FIREARMS DISCHARGE REPORT*June 1, 2005**73 Pct.**4X12**STREET*

On Wednesday June 1, 2005 at approximately 1941 hours, an officer assigned to patrol was conducting a car stop. Upon approaching the vehicle on the driver's side the officer was immediately fired on and struck one time. The officer spun around took a few steps and fell to the ground in the middle of the street. Simultaneously the subject exited the vehicle and fired one more time at the fallen officer. The officer who was struggling to stand up was now facing the subject, drew his service weapon and fired sixteen times at the subject then fell to the ground as the subject fled. During the investigation intelligence was gathered to the subjects location where an entry was made and subject was found dead with a self-inflicted gun shot to the head. Officer was treated for gunshot injuries and blunt trauma there were no other firearm related injuries.

*June 9, 2005**52 Pct.**6X2**STREET*

On Thursday June 9, 2005 at approximately 0128 hours, an officer assigned to anti-crime observed subject adjusting a bulge in his waistband. As officers neared the subject he pointed a firearm and discharged one round at them while they were still seated in their vehicle. Subject fled, was stopped, ordered to drop his weapon, subject turned and aimed again at officer who discharged two rounds. Subject was apprehended and there were no reported firearm related injuries to officers, civilians or subject.

*July 6, 2005**25 Pct.**8X4**STREET*

On Wednesday July 6, 2005 at approximately 1435 hours, two officers assigned to anti-crime observed a subject walking down the street carrying two firearms. In pursuit of the subject, officers sustained gunshot wounds by the perp, one to his right ankle the other to his right thigh and shoulder. The subject fled and in attempt to evade apprehension, jumped from a fourteenth floor apartment window and was apprehended.

*July 17, 2005**105 Pct.**12X8**STREET*

On Sunday July 17, 2005 at approximately 0204 hours, an officer assigned to patrol discharged his firearm sixteen times at an armed subject who had just shot three times at the officers with a shotgun. Both officers were struck one in his right thigh and the other in the neck and shoulder area. The subject was struck four times and apprehended.

2005 FIREARMS DISCHARGE REPORT*July 23, 2005**67 pct.**8X4**STREET*

On Saturday July 23, 2005 at approximately 1333 hours, six detectives discharged their firearms twenty three times at an armed subject who had just discharged a firearm into the head of a victim and then fired upon the officers. The subject sustained one gunshot wound and was apprehended, there were no reported firearm related injuries to officers, civilians.

*September 27, 2005**17 Pct.**8X4**STREET*

On Tuesday September 27, 2005 at approximately 1347 hours, a detective assigned to patrol received a pick up of a jewelry store being robbed. Attempting to apprehend the subjects the officer was shot at by one of the subjects. The officer returned fire three times then lost sight of the subjects. Based on the registration of the vehicle used in the robbery the subjects were later apprehended and gun recovered. There were no reported firearm related injuries to officers, civilians or subjects.

*September 28, 2005**23 Pct.**6X2**STREET*

On Wednesday September 28, 2005 at approximately 0050 hours, officers observed a suspicious male adjusting his waistband. Officers asked person to hold up at which time the person fled, officers gave chase and six officers were involved in an exchange of gunfire with the armed subject. A total of seventy-seven rounds were fired at the subject and the subject was struck three times causing an injury to his neck, shoulder and hip. Subject was apprehended and there were no reported firearm related injuries to officers or civilians.

*October 22, 2005**75 Pct.**12X8**STREET*

On Saturday October 22, 2005 at approximately 0412 hours, four officers assigned to anti-crime responded to people stabbed with a knife. Upon exiting their vehicle they encountered a male discharging a firearm directly in front of them. A gunfight ensued the two subjects were struck, one was killed, the other was injured, and a 9mm semi automatic gun was recovered. The Subject was apprehended and there were no reported firearm related injuries to officers or civilians.

2005 FIREARMS DISCHARGE REPORT*November 19, 2005**77 Pct.**OFF DUTY**STREET*

On Saturday November 19, 2005 at approximately 0600 hours, an off duty officer was the victim of an armed robbery. The subject had forcibly removed the officer's jewelry and wallet containing his New York City Police Department Identification Card. The subject then discharged four rounds at the officer who returned, firing ten rounds at the subject. The subject fled on foot and was not apprehended. There were no reported firearm related injuries to officer or subject.

*November 28, 2005**70 Pct.**12X8**STREET*

On Monday November 28, 2005 at approximately 0251 hours, an officer assigned to precinct conditions attempted to effect a car stop. The operator of the vehicle discharged his firearm at the officers, one officer was struck in the torso. The subject fled with the officers in pursuit, the officer realizing he was shot was rushed by patrol car to the hospital where he succumbed to his injuries. The subject was apprehended and arrested, there were no other reported injuries to officers, civilians or the subject.

*December 8, 2005**28 Pct.**12X8**STREET*

On Thursday December 8, 2005 at approximately 0235 hours, two officers assigned to precinct conditions heard two shots fired. Investigating the incident they observed a male running down the street firing a firearm. Upon seeing the officers the subject fired at the officers who returned firing a total of twenty-four rounds. There were no reported injuries to officers or the subject, one civilian was injured as a result of the subject discharging his firearm prior to police involvement.

*December 10, 2005**45 Pct.**OFF DUTY**STREET*

On Saturday December 10, 2005 at approximately 0524 hours, an off duty officer was mortally wounded in an exchange of gunfire after confronting two males as the officer apparently interrupted a burglary in progress. One male was struck 1 time in the chest the other male was struck seven times about the body. There were no other injuries as a result of this incident.

2005 FIREARMS DISCHARGE REPORT

***Two Officers were Shot and Killed in the
Line of Duty in 2005.***

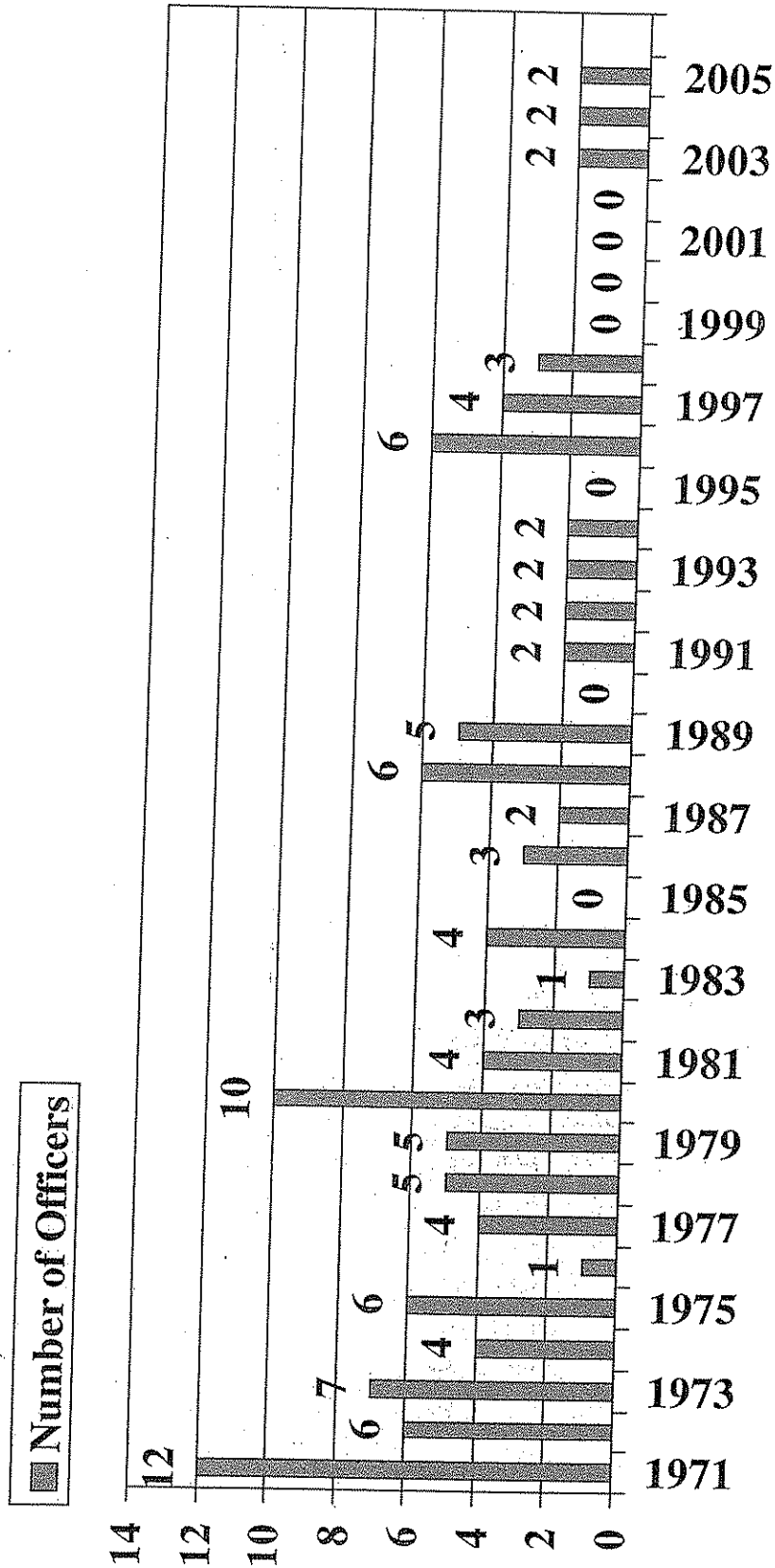
2005 FIREARMS DISCHARGE REPORT

Analysis of Shots Fired by Officers
2005

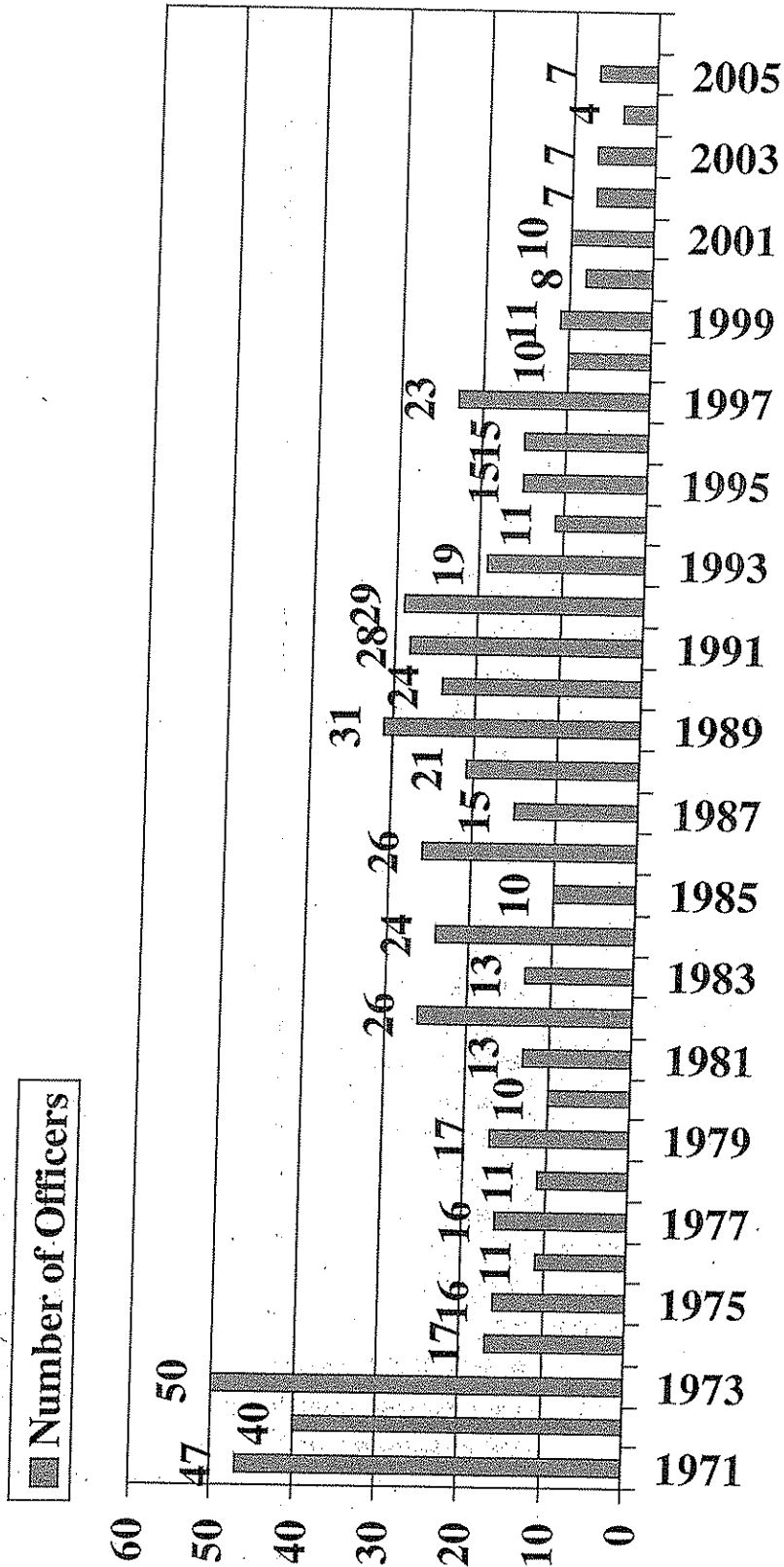
Incident	Total # Incidents	Total # Officers Who fired	Total # Shots Fired	Total # Hits	% Hits	# Shots Per Incident	# Shots Per Officer
Gunfights	16	35	276	23	8%	17.3	7.9
Other Shootings Vs. Subjects	43	64	196	59	30%	4.6	3.1
Against Dogs	32	35	93	57	61%	2.9	2.7
Mistaken I.D.	00	00	00	00	00	00	00
Sub-Total:	91	134	565	139	25%	6.2	4.2
Others*	05	05	22	02	09%	4.4	4.4
Attempted Suicide	01	01	01	01	100%	01	01
Suicide	02	02	03	02	100%	01	01
Accidental Discharges	24	24	25	10	40%	1.0	1.0
Sub-Total:	32	32	51	15	29%	1.6	1.6
Total:	123	166	616	154	25%	5.0	3.7

*Others: includes I.O. # 8 of 2005, domestic incidents, intoxicated, etc.

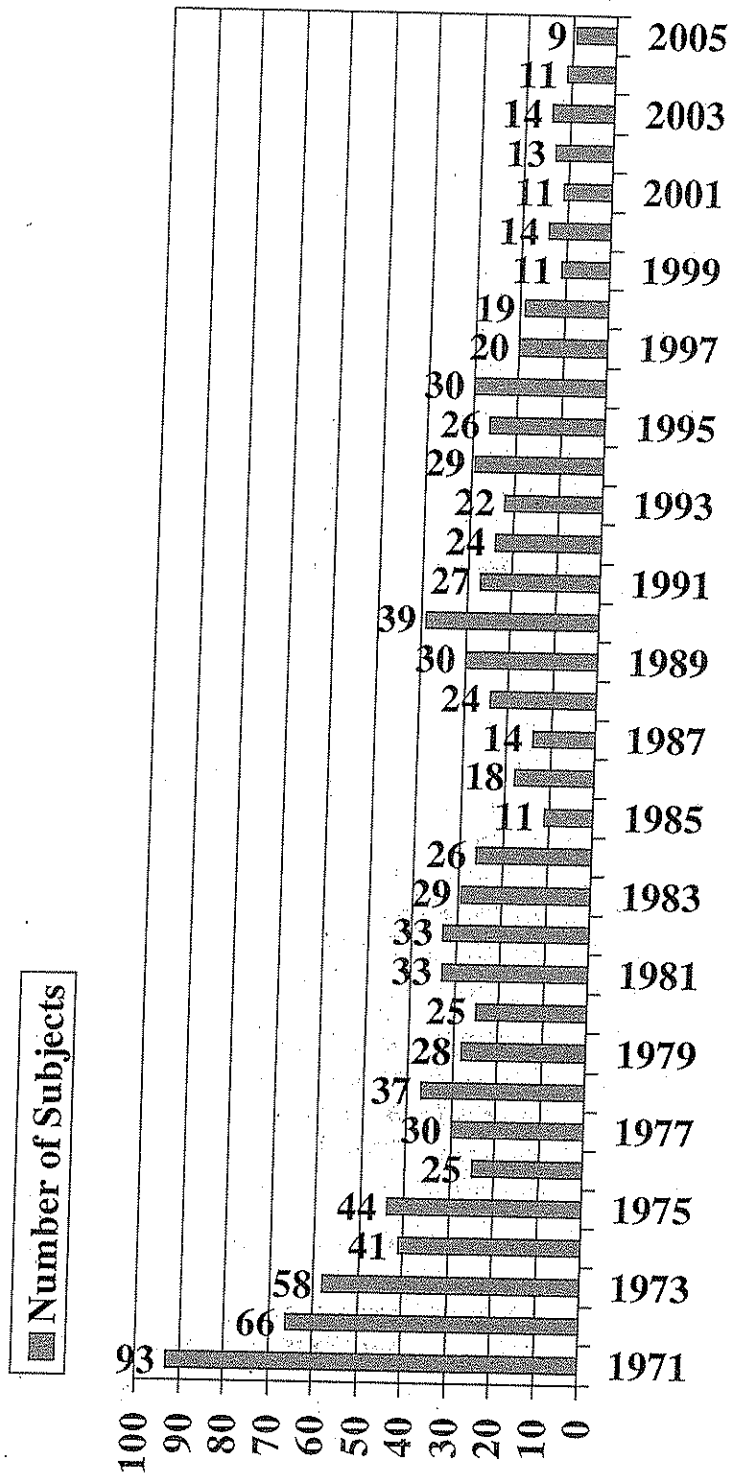
Officers Shot and Killed By Subjects 1971 - 2005



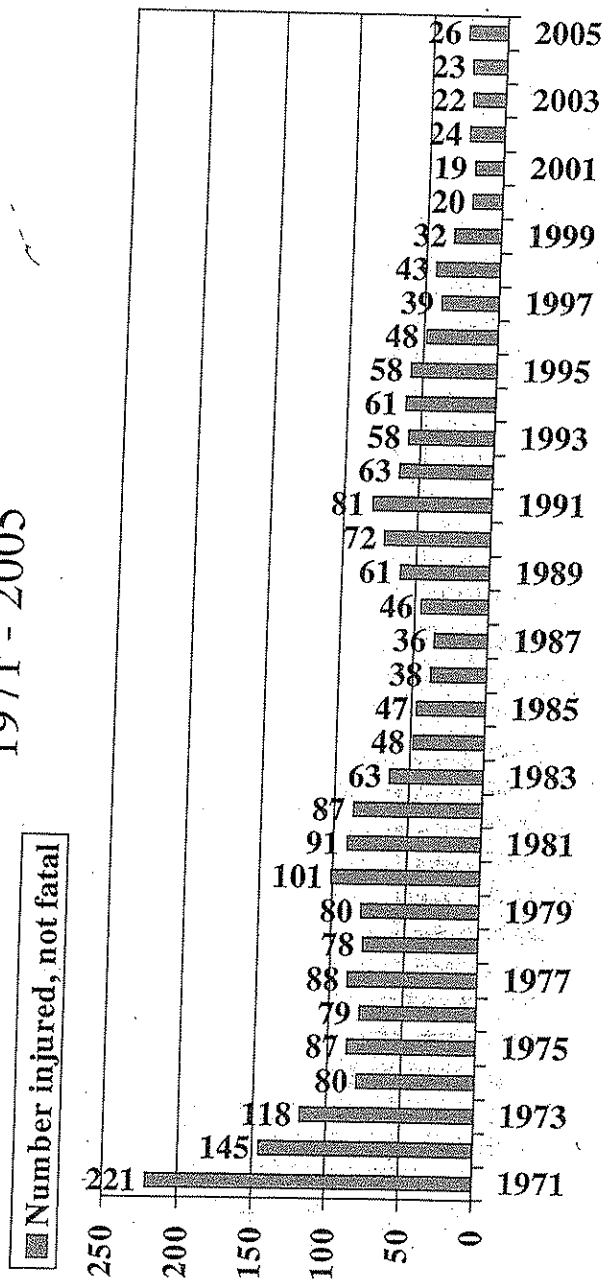
Officers Shot and Injured By Subjects 1971 - 2005



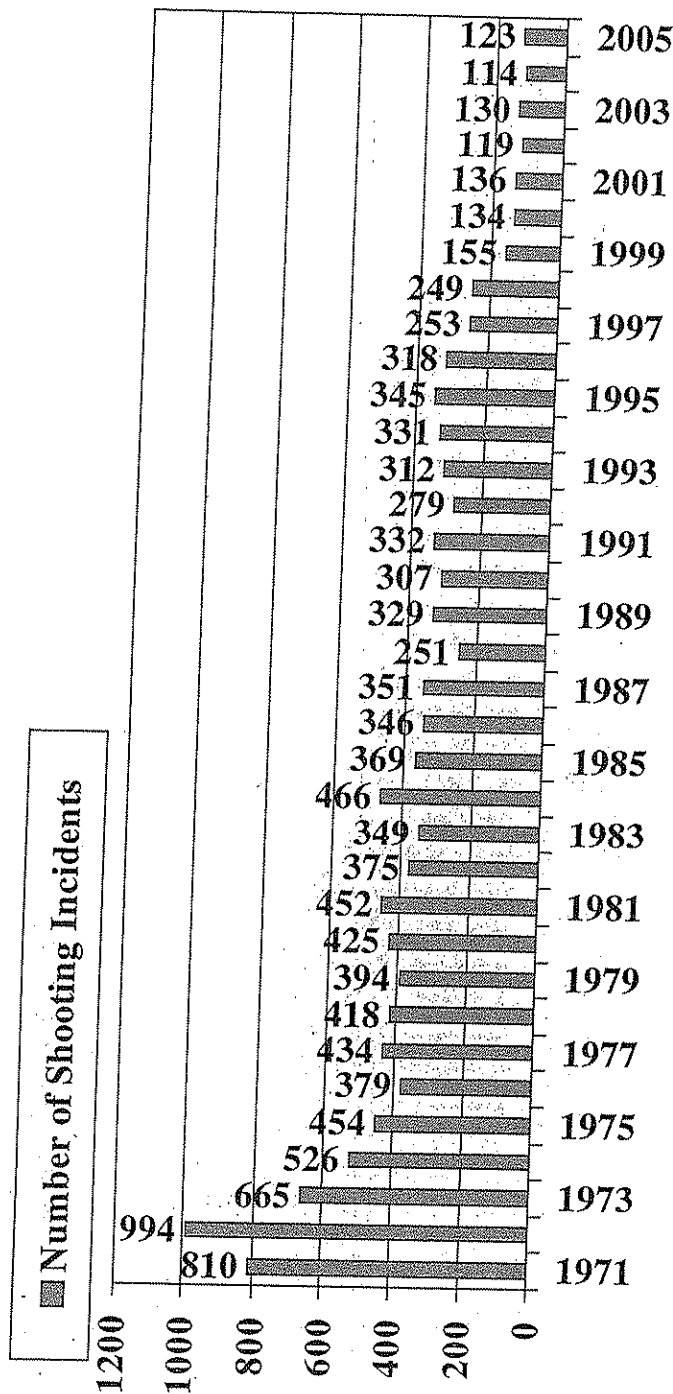
Subjects Shot and Killed by Officers 1971 - 2005



Subjects Shot and Injured by Officers 1971 - 2005



Shooting Incidents 1971 - 2005



Number of Shots Fired by Officers 1971 - 2005

